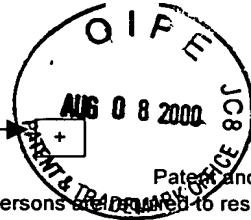


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PTO/SB/01 (12-97)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION</b> <b>(37 CFR 1.63)</b>  <input type="checkbox"/> Declaration Submitted with Initial Filing      OR <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)	Attorney Docket Number	22726-701
	First Named Inventor	Christopher Warnock
	<b>COMPLETE IF KNOWN</b>	
	Application Number	09/498,944
	Filing Date	February 4, 2000
	Group Art Unit	2771
Examiner Name	Not Yet Assigned	

As a below named Inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD AND APPARATUS FOR IMPROVED INFORMATION TRANSACTIONS**

(Title of the Invention)

the specification of which  
☐ is attached hereto  
OR

☒ was filed on (MM/DD/YYYY) February 4, 2000 as United States Application Number or PCT International

Application Number 09/498,944 and was amended on (MM/DD/YYYY) ☐ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
			<input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/028 attached hereto:

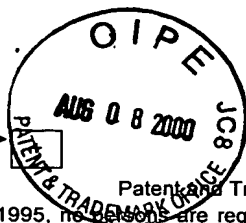
I hereby claim the benefit under 35 U.S.C. 119(h) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/028 attached hereto.
60/159,737	October 15, 1999	

(Page 1 of 2)

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## DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of the application is not designated in the prior United States or PCT international application in the manner provided by the first paragraph of 31 U.S.C. 112. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number

Parent Filing Date  
(MM/DD/YYYY)

Parent Patent Number  
(if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/028 attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☒ Customer Number 21971

OR

☐ Registered practitioner(s) name/registration number listed below

Place Customer  
Number Bar  
Code Label here

Name

Registration  
Number

Name

Registration  
Number

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☒ Customer Number  
or Bar Code Label

21971

OR ☐ Correspondence address below

Name Barbara B. Courtney

Address Wilson Sonsini Goodrich & Rosati

Address 650 Page Mill Road

City Palo Alto

State

CA

ZIP

94304

Country

U.S.

Telephone

650-493-9300

Fax

650-493-6811

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))

Family Name or Surname

Christopher

Warnock

Inventor's Signature

*Christopher Warnock*

Date

8.2.2000

Residence: City

Los Altos

State

California

Country

USA

Citizenship

USA

Post Office Address

427 Traverso Avenue

Post Office Address

City

Los Altos

State

California

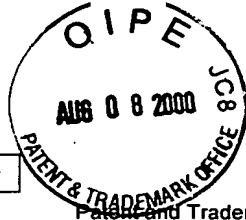
ZIP

94022

Country

USA

☒ Additional inventors are being named on the (One) 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto:



Please Type a plus sign (+) inside this box



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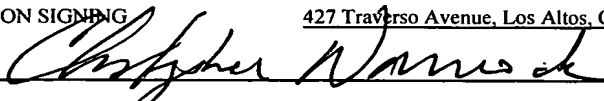
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<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b> Supplemental Sheet Page <u>1</u> of <u>1</u>
--------------------	--

<b>Name of Additional Joint Inventor, if any:</b>				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Ken				Abrams			
Inventor's Signature				Date		8/2/2000	
Residence: City	Campbell	State	California	Country	USA	Citizenship	USA
Post Office Address		4074 Keith Drive					
Post Office Address							
City	Campbell	State	California	ZIP	95008	Country	USA
<b>Name of Additional Joint Inventor, if any:</b>				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Rick				Holzgrafe			
Inventor's Signature				Date		8/2/2000	
City	San Jose	State	California	Country	USA	Citizenship	USA
Post Office Address		5535 Big Oak Drive					
Post Office Address							
City	San Jose	State	California	ZIP	95129	Country	USA
<b>Name of Additional Joint Inventor, if any:</b>				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Inventor's Signature				Date			
City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	

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<b>STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR. 1.9(f) &amp; 1.27(c)) -- SMALL BUSINESS CONCERN</b>		<b>Docket Number (Optional)</b> 22726-701
<b>Applicant, Patentee, or Identifier:</b>	Christopher Warnock, Ken Abrams and Rick Holtzgrafe	
<b>Application or Patent No.:</b>	09/498,944	
<b>Filed or Issued:</b>	February 4, 2000	
<b>Title:</b>	Method and Apparatus for Improved Information Transactions	
I hereby state that I am <input type="checkbox"/> the owner of the small business concern identified below <input checked="" type="checkbox"/> an official of the small business concern empowered to act on behalf of the concern identified below		
<b>NAME OF SMALL BUSINESS CONCERN</b>	ebrary.com	
<b>ADDRESS OF SMALL BUSINESS CONCERN</b>	457 East Evelyn Avenue, Suite C, Sunnyvale, California 94086	
<p>I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.</p> <p>I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:</p> <p><input type="checkbox"/> the specification filed herewith with title as listed above  <input checked="" type="checkbox"/> the application identified above  <input type="checkbox"/> the patent identified above</p> <p>If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).</p> <p>Each person, concern, or organization having any rights in the invention is listed below:</p> <p><input checked="" type="checkbox"/> no such person, concern, or organization exists  <input type="checkbox"/> each such person, concern, or organization is listed below.</p>		
<b>NAME OF SMALL BUSINESS CONCERN</b>		
<b>ADDRESS OF SMALL BUSINESS CONCERN</b>		
<p>Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities (37 CFR 1.27).</p> <p>I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).</p>		
<b>NAME OF PERSON SIGNING</b>	Christopher Warnock	
<b>TITLE OF PERSON IF OTHER THAN OWNER</b>	President and CEO	
<b>ADDRESS OF PERSON SIGNING</b>	427 Traverso Avenue, Los Altos, California 94022	
<b>SIGNATURE</b>		<b>DATE</b> 8.2.2000

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